

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:17-CR-00246-BR

UNITED STATES OF AMERICA

v.

GEMINI WRIGHT

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ORDER

This matter is before the court on defendant's motion to terminate supervised release.

(DE # 31.) The government filed a response in opposition. (DE # 33.)

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)—
(1) terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice[.]

18 U.S.C. § 3583(e).

Defendant has served one year of a three-year term of supervised release. According to defendant, he is “committed to leading a different life. He has maintained employment He has never failed a drug test . . . nor has his supervised release ever been revoked. He has paid his special assessment fee in full.” (Mot., DE # 31, at 2.) He acknowledges “[h]e has benefitted from supervision, but” believes “he is no longer in need of it.” (Id.)

The government argues the court should deny the motion based on defendant's criminal history, among other things. It notes that defendant's supervising probation officer does not recommend early termination at this time, as defendant is being transitioned to low intensity supervision and in similar cases, the probation department typically expects a defendant to complete at least two-thirds of the supervised release term. (DE # 33, at 5 n.1.)

The court commends defendant for being compliant with the terms of his supervised release. However, considering the record in this case and, in particular, the opinion of defendant's supervising probation officer, the court finds that the interest of justice would not be served by the early termination of defendant's supervised release now. Defendant's motion is DENIED WITHOUT PREJUDICE. If defendant files another motion for early termination, the motion shall state the position of his supervising probation officer.

This 13 January 2020.

A handwritten signature in green ink, appearing to read "W. Earl Britt", is positioned above a horizontal line.

W. Earl Britt
Senior U.S. District Judge